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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/516,604

12/03/2004

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9988.175.00

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7590

09/02/2010

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EXAMINER

GOLIGHTLY, ERIC WAYNE

ART UNIT

PAPER NUMBER

1714

MAIL DATE

DELIVERY MODE

09/02/2010

PAPER

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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 10/516,604
Filing Date: December 03, 2004
Appellant(s): PARK, SEOK KYU

Yong S. Choi (Reg. No. 43,324)
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed June 15, 2010 appealing from the Office action mailed February 18, 2010.

(1) Real Party in Interest

The examiner has no comment on the statement, or lack of statement, identifying by name the real party in interest in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The following is a list of claims that are rejected and pending in the application:

1-5, 7-35 and 41.

(4) Status of Amendments After Final

The examiner has no comment on the appellant's statement of the status of amendments after final rejection contained in the brief.

(5) Summary of Claimed Subject Matter

The examiner has no comment on the summary of claimed subject matter contained in the brief.

(6) Grounds of Rejection to be Reviewed on Appeal

The examiner has no comment on the appellant's statement of the grounds of rejection to be reviewed on appeal. Every ground of rejection set forth in the Office action from which the appeal is taken (as modified by any advisory actions) is being maintained by the examiner except for the grounds of rejection (if any) listed under the subheading "WITHDRAWN REJECTIONS." New grounds of rejection (if any) are provided under the subheading "NEW GROUNDS OF REJECTION."

WITHDRAWN REJECTIONS

The following grounds of rejection are not presented for review on appeal because they have been withdrawn by the examiner. The rejections on the grounds of failing to comply with the written description requirement under 35 USC 112, first paragraph, are withdrawn.

(7) Claims Appendix

The examiner has no comment on the copy of the appealed claims contained in the Appendix to the appellant's brief.

(8) Evidence Relied Upon

3,770,376	Sharpe	11-1973
5,167,722	Pastryk et al.	12-1992
2,588,774	Smith	3-1952

6,530,384	Meyers et al.	3-2003
4,618,444	Hudson et al.	10-1986
20020128729	Blair et al.	9-2002
KR 20010093969	Kim	10-2001
JP 2002346288	Iwai et al.	12-2002

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-5, 7-35 and 41 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which appellant regards as the invention.

Regarding claims 1-5, the phrases “removing contaminants stuck to a surface of the tub”, “soaking the contaminants ... after removing contaminants .. is completed” and “separating soaked contaminants from the surface of the tub” in lines 6-10 of each of claims 1-5 renders the claims indefinite since it unclear whether or not the soaked contaminants *separated* from the surface (the last phrase) are the same contaminants which are removed from the surface (the first phrase). It appears that the intended

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meaning may be that they are not the same contaminants, and this meaning will be used for purposes of examination.

Regarding claims 3-5 and 41, the phrase "supplying clean water to the tub a second time" in line 14 of each of claims 3-5 renders the claims indefinite because it is not exactly clear what this is referring to. Each of claims 3-5 teaches recites "supplying water to a tub" in line 3 and "supplying water to the surface of the tub" in line 12. It appears that both of these supplying steps are intended to be performed with water that is clean, but they are not recited as "clean water". Further, it is not clear which of the earlier recited supplying steps, if any, is intended to be considered the "first time" with respect to the phrase "supplying clean water to the tub a *second* time". Accordingly, the phrase "supplying the clean water to tub for the second time" in lines 1 and 2 of claim 41, which depends from any one of claims 3-5, renders the claim indefinite.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-5, 8, 9, 11-18, 20-30, 32, 35 and 41 are rejected under 35 U.S.C. 103(a) as being unpatentable over US 3,770,376 to Sharpe (hereinafter "Sharpe").

Sharpe teaches a method for sanitizing a clothes washer (abstract) and discloses the steps of: supplying water to a tub (col. 4, lines 31-36 and col. 5, lines 46-52);

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rotating the tub (col. 2, lines 52-57 and col. 5, line 43 and 49-52); energizing the main motor after the water supply is completed (col. 5, lines 34-39), or soaking contaminants for a predetermined time period by holding the tub and agitator stationary; and draining water from the tub (col. 5, line 65 to col. 6, line 6).

Regarding claims 1-5, Sharpe is silent regarding: no laundry is to be introduced into the tub, permeating water into the contaminants, the use of a pulsator, removing contaminants stuck to a surface of the tub by rotating a tub or a pulsator in the tub, separating soaked contaminants from the surface of the tub by holding the tub and pulsator stationary, that supplying water and rotating the tub are performed at the same time, and that the step of soaking by holding the tub and pulsator stationary is performed after removing contaminants by rotating the tub or pulsator. It would have been obvious to one of ordinary skill in the art at the time of the invention to supply water without laundry in order to prevent cross-contamination from the tub to the laundry or vice versa, as per the Sharpe teaching. Regarding supplying water and rotating the tub being performed at the same time, and soaking by holding the tub and pulsator stationary after removing contaminants by rotating the tub or pulsator, the selection of the order of performing steps is prima facie obvious in the absence of new or unexpected results. MPEP 2144.04(IV)(C). It is noted that Sharpe discloses that recirculating water to and from the tub, which reads on supplying water to the tub, during washing operations advantageously permits filtration of the water (col. 2, lines 9-15 and 66-89 and col. 3, lines 1-7), which at least suggests also recirculating, or supplying, during tub sanitation in order to filter the water. It is noted that the use of

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predetermined times is known in the art and the skilled artisan would have found it obvious to use a predetermined time between rotation of a tub or pulsator and draining, or soaking contaminants for a predetermined time by holding the tub and pulsator stationary after removing contaminants by rotating the tub or pulsator, in order to ease the process for the operator. The skilled artisan would have found it obvious that the method as per the Sharpe cleaning could be performed with a reasonable expectation of success to clean a washing machine comprising a pulsator, wherein the tube and pulsator are held stationary and are rotated, as with the tub and agitator of the Sharpe teaching. As to permeating water into the contaminants, removing contaminants stuck to the surface of the tub and separating soaked contaminants from the surface of the tub, these limitations are inherent in the Sharpe method because the water supplied to the tub will permeate, and rotating a tub or pulsator will remove and separate contaminants.

Further regarding claims 2-5 and 11, Sharpe does not explicitly teach supplying water to the surface of the tub during draining thereby preventing resticking of the contaminants to the surface of the tub. However, it would have been obvious to one of ordinary skill in the art at the time of the invention to supply water during draining in the method as per the Sharpe teaching, including during a later half of the draining step, because this is a conventional technique for enhancing the cleaning process (see, for example, the abstract and Fig. 9 of US 5,167,722 to Pastryk, et al. which teaches a spray rinse process for an automatic washer including a rinsing process during the draining step).

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Further regarding claims 3-5, Sharpe discloses spraying water to the tub, or supplying water to the tub for a second time and rinsing the surface of the tub (col. 5, lines 46-52) and draining water from the tub for a second time (col. 6, lines 37 and 38), but is silent regarding supplying clean water to the tub after the draining of the water the first time is completed. The skilled artisan would have found it obvious to supply clean water to the tub after draining water from the tub the first time with a reasonable expectation of success in order to enhance the cleaning.

Further regarding claims 4 and 5, Sharpe does not explicitly teach supplying water to the surface of the tub during the step of draining water from the tub for a second time thereby preventing resticking of contaminants to the surface of the tub. However, it would have been obvious to one of ordinary skill in the art at the time of the invention to repeat the step of supplying water to the surface of the tub during the step of draining water from the tub for a second time in the method as per the Sharpe teaching in order enhance the cleaning process. Supplying water a second time will prevent sticking of contaminants to the tub surface.

Regarding claims 5 and 14, it would have been obvious to one of ordinary skill in the art at the time of the invention to use high speed rotation in the method as per the Sharpe teaching to remove water from the surface of the tub because high speed rotation is a conventional technique for water removal (see, for example, US 2,588,774 to Smith at col. 8, lines 5-8, which teaches a washing machine wherein clothes are spun at high speed to remove rinse water).

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Regarding claims 8, Sharpe discloses rotating a basket, or tub (col. 4, lines 28-30), which will form a water circulation. It is noted that water will be permeating contaminants while rotating the tub per Sharpe.

Regarding claims 9, 32 and 35, Sharpe discloses rotating a basket, or tub, at low speed (col. 4, lines 25-30) but does not explicitly teach rotating the tub at high speed. However, it would have been obvious to one of ordinary skill in the art at the time of the invention to use high speed rotation in the method as per the Sharpe teaching in order to provide a greater driving force for permeation.

Regarding claim 12, Sharpe does not explicitly teach rotating the tub while water is supplied to the tub during the step of supplying water to the tub surface. However, it would have been obvious to one of ordinary skill in the art at the time of the invention to rotate the tub while thus supplying water to the tub surface in the method as per the Sharpe teaching for enhancing the comprehensive tub surface area coverage and removal of water.

Regarding claim 13, Sharpe discloses spraying water to the surface of the tub (col. 5, lines 46-52).

Regarding claim 15, Sharpe discloses introducing chlorine bleach, or a halide group bleaching agent, into a dispensing cup (Fig. 1, ref. 150 and col. 4, lines 11-18) which is in the tub (Fig. 1, ref. 28 and col. 2, line 20) before supplying the water. However, the skilled artisan would have found it obvious that introducing the bleaching agent into the tub could be performed during supplying water to the tub such that that

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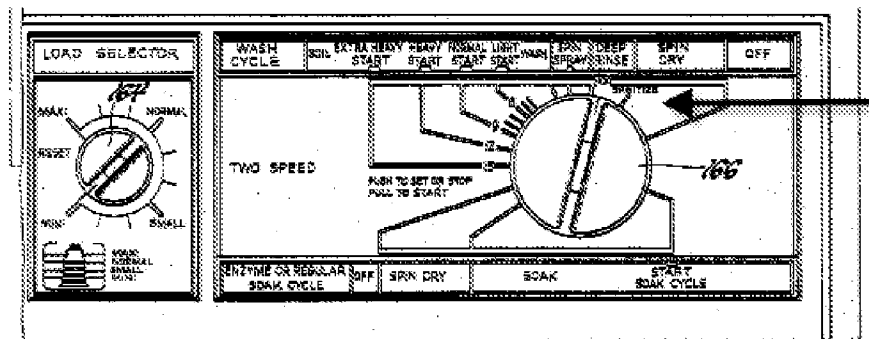
bleaching agent and water are supplied to the tub together with a reasonable expectation of success in view of, inter alia, the Sharpe disclosure of bleach to water concentration ratios (col. 4, lines 61 to col. 5, line 2) and gradually dispensing the bleach into the water (col. 5, lines 37-39)

Regarding claims 16 and 17, Sharpe does not explicitly teach using an oxygen group bleaching agent. However, it would have been obvious to one of ordinary skill in the art at the time of the invention to use an oxygen bleaching agent because oxygen group agents are conventionally known bleaching agents (see, for example, US 4,618,444 to Hudson, et al. at col. 2, lines 24-32, which teaches a laundry detergent with a peroxygen bleaching agent).

Regarding claim 18, Sharpe discloses introducing a disinfectant (col. 4, lines 11-16) but does not explicitly teach introducing a fungicidal agent. However, It would have been obvious to one of ordinary skill in the art at the time of the invention to use a fungicidal agent in the method as per Sharpe because these agents are conventionally used to enhance cleaning (see, for example, US 6,530,384 to Meyers, et al. at col. 5, lines 42-44), which teaches a cleaning solution comprising a fungicide).

Regarding claim 20, Sharpe discloses displaying a "sanitize" cycle (Fig. 2, see bold arrow below, and col. 4, lines 11-14), or tub cleaning course, which is under progress on a display of the washing machine during tub cleaning.

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*Fig. 2*

Regarding claims 21-26, Sharpe does not explicitly teach displaying an accumulated number of washing courses performed by the washing machine after the tub cleaning on a display of the washing machine. However, It would have been obvious to one of ordinary skill in the art at the time of the invention to display the washing courses as claimed in the method as per the Sharpe teaching because it is conventional to display the accumulated number of processes completed since a reset (see, for example, US 2002/0128729 to Blair, et al. at [0037] which teaches a laundry machine control system wherein the total number of times a cycle has been activated since the counts were last cleared is displayed).

Regarding claims 22-25, Sharpe does not explicitly teach displaying a target number of washing courses to be performed by the washing machine before the next tub cleaning on a display of the washing machine. However, it would have been obvious to one of ordinary skill in the art at the time of the invention to display the target number when using the method as per the Sharpe teaching in order to enhance an operator's ability to ensure that the cleanings occur in a timely manner.

Regarding claim 23 specifically, Sharpe does not explicitly teach that the target number can be changed. However, it would have been obvious to one of ordinary skill in the art at the time of the invention to use a changeable target number with the method as per the Sharpe teaching in order to fine tune the cleaning process.

Regarding claim 24 specifically, Sharpe discloses a tub cleaning step wherein a user manually selects a tub cleaning course (col. 4, lines 11-18) but does not explicitly teach selection of a tub cleaning course when the accumulated number of washing courses reaches the target number. However, it would have been obvious to one of ordinary skill in the art at the time of the invention to select of the tub cleaning course upon reaching the target number in the method as per the Sharpe teaching in order to ensure the cleanliness of the tub.

Regarding claim 25 specifically, Sharpe does not explicitly teach automatic performance of the tub cleaning steps when the accumulated number of washing courses reaches the target number. However, it would have been obvious to one of ordinary skill in the art at the time of the invention to automate the method as per the Sharpe teaching in this manner in order to inhibit the likelihood that the cleaning will be neglected due to operator error.

Regarding claim 26 specifically, Sharpe discloses a step wherein a user manually selects a tub cleaning course (col. 4, lines 11-18) but does not explicitly teach setting a mode where a user manually selects a tub cleaning course when the accumulated washing courses performed by the washing machine displayed reaches a target number of washing courses to be performed before the next tub cleaning.

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However, It would have been obvious to one of ordinary skill in the art at the time of the invention to use such a manual mode with the method as per the Sharpe teaching in order to allow for operator override in case of an automation problem.

Regarding claim 27, Sharpe does not explicitly teach setting a time to automatically perform a tub cleaning at the washing machine. However, it would have been obvious to one of ordinary skill in the art at the time of the invention to automate the method of the Sharpe teaching in this manner in order to inhibit the likelihood that the cleaning will be neglected due to an operator's forgetfulness.

Regarding claim 28, Sharpe does not explicitly teach setting a mode where tub cleaning automatically progresses. However, it would have been obvious to one of ordinary skill in the art at the time of the invention to automate the method as per the Sharpe teaching in this manner in order to free up an operator who would otherwise be needed to manually perform the cleaning. See MPEP 2144.04(III).

Regarding claim 29, Sharpe discloses spinning, or rotating, a tub (col. 6, lines 6-11), which forms a water circulation. It is noted that contaminants will be separating while rotating the tub per Sharpe.

Regarding claim 30, Sharpe does not explicitly teach rotating the tub at high speed. However, it would have been obvious to one of ordinary skill in the art at the time of the invention to use high speed rotation in the method as per the Sharpe teaching in order to provide increased agitation for cleaning. It is noted that

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contaminants will be separating and water will be circulating in a radial direction in the tub while rotating at high speed in the method as per the Sharpe teaching.

Regarding claim 41, Sharpe is silent regarding the water being completely drained from the tub before supplying the clean water to the tub for the second time. The skilled artisan would have found it obvious to completely drain the water from the tub before supplying clean water to the tub for the second time in order to enhance the complete removal of contaminants through the drain.

Claims 7, 10, 31, 33 and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sharpe (US 3,770,376) in view of KR 20010093969 to Kim (hereinafter “Kim”).

Sharpe discloses rotating an agitator (col. 4, lines 25-30) but does not explicitly teach that the agitator used is a pulsator, permeating by rotating a pulsator provided in the tub for forming a water circulation, or rotating the tub at high speed. However, Kim teaches a washing machine tub cleaning method wherein a water current is made to rise along the tub wall due to a rotating pulsator, which reads on a pulsator forming water circulation. It would have been obvious to one of ordinary skill in the art at the time of the invention to include the use of the rotating pulsator as per the Kim teaching in the method as per the Sharpe teaching because affecting a water current in this manner increases agitation, enhancing the cleaning process. Moreover, the skilled artisan would have found it obvious to use high speed rotation in the method as per the

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Sharpe/Kim teachings in order to provide a greater driving force for permeation and agitation for separation.

Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sharpe (US 3,770,376) in view of JP 2002346288 to Iwai, et al. (hereinafter "Iwai").

Sharpe does not explicitly teach the use of a sterilizing agent which is a halogenated hydantoin compound that emits hypohalogenated acid. However, Iwai teaches a method of using a washing machine including a housing unit for use with a sterilizing agent which includes a hydantoin halide compound for releasing a hypohalogenic acid by water contact, which reads on the halogenated hydantoin compound. It would have been obvious to one of ordinary skill in the art at the time of the invention to use the hydantoin compound of the Iwai teaching with the method as per the Sharpe teaching in order to inhibit bacteria growth and sanitation problems.

(10) Response to Argument

Regarding the first ground of rejection (see the Appeal Brief at page 12, section VII.A.), appellant argues that the original filed specification provides support for the limitation that the step of soaking by holding the tub pulsator stationary is performed after the step of removing by rotating the tub or pulsator is completed. The examiner agrees with the appellant and the rejections on the grounds of failing to comply with the

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written description requirement under 35 USC 112, first paragraph, are withdrawn as discussed above in the section “(6) Grounds of Rejection to be Reviewed on Appeal”.

Regarding the second ground of rejection (see the Appeal Brief at page 13, section VII.B.), appellant first asserts that, regarding claims 1-5, the phrases “removing contaminants stuck to a surface of the tub”, “soaking the contaminants ... after removing contaminants .. is completed” and “separating soaked contaminants from the surface of the tub” in lines 6-11 of each of claims 1-5 do not render the claims indefinite since, it is alleged, it is clear that the “contaminants” recited are all the same contaminants. The examiner maintains that the phrases “removing contaminants stuck to a surface of the tub”, “soaking the contaminants ... after removing contaminants .. is completed” and “separating soaked contaminants from the surface of the tub” render the claims indefinite since it unclear whether or not the soaked contaminants separated from the surface (the last phrase) are the same contaminants which are removed from the surface (the first phrase). Assuming, *arguendo*, that appellant’s assertion were correct, i.e. that it is clear that the “contaminants” recited are all the same contaminants, then it is unclear how the contaminants are both: a) removed from the surface of the tub (as in claim 1, line 6); and b) separated from the surface of the tub (as in claim 1, line 11).

Regarding the second ground of rejection appellant next asserts that, regarding claims 3-5 and 41, the phrase “supplying clean water to the tub a second time” in line 15 of each of claims 3-5 does not render the claims indefinite since, it is alleged, it is apparent that clean water would be used for cleaning a tub of a washing machine and

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“water” and “clean water” are used interchangeably in claims 3-5 and 41 (see the Appeal Brief at page 14, second paragraph). The examiner maintains that the phrase “supplying clean water to the tub a second time” in line 15 of each of claims 3-5 renders the claims indefinite because it is not exactly clear what this is referring to. Each of claims 3-5 teaches recites “supplying water to a tub” in line 3 and “supplying water to the surface of the tub” in line 13. Though it appears that both of these supplying steps are intended to be performed with water that is clean, neither supplying step is recited as using “clean water”. Further, it is not clear which of the earlier recited supplying steps, if any, is intended to be considered the “first time” with respect to the phrase “supplying clean water to the tub a second time”. Accordingly, the phrase “supplying the clean water to tub for the second time” in lines 1 and 2 of claim 41, which depends from any one of claims 3-5, renders the claim indefinite. Assuming, *arguendo*, that appellant’s assertion that “water” and “clean water” are used interchangeably, it is not clear how this helps to clarify the issue since it is still not clear which of the earlier recited supplying steps, if any, is intended to be the “first time” with respect to the phrase “supplying clean water to the tub a second time”. Moreover, appellant’s attempt to clarify the indefiniteness by pointing out that the earlier recitation is “supplying water to the *tub*” while the latter recitation is “supplying water to the *surface of the tub*” (emphasis original to the Appeal Brief at page 14, second full paragraph) is not determinative since water supplied to the *surface of a tub* is still supplied to the *tub*.

Regarding the third ground of rejection appellant first apparently argues that the applied art does not teach or suggest that the soaking step is performed after the

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removing contaminants step is completed since, it is alleged, Sharpe (US 3,770,376) discloses performing the soaking step during the water supply (see the Appeal Brief at section VII.C.1, page 15, last paragraph). Assuming, arguendo, appellant is correct, the examiner maintains that the selection of the order of performing steps is prima facie obvious in the absence of new or unexpected results. MPEP 2144.04(IV)(C). See the Office action mailed 2/18/2010 at page 5, lines 10-15). Appellant claims that such unexpected results are demonstrated by the asserted reduced wash time and power consumption shown in Figs. 4 and 5 of the specification (see the Appeal Brief at page 17, first paragraph). Initially, it is noted that an asserted improvement is not the same as an unexpected result. More importantly, the examiner maintains that the attorney argument here provides no factual evidence that the claimed invention is better than that disclosed in Sharpe. Figs. 4 and 5 do not clearly compare the present invention with the method disclosed in Sharpe, but rather with something called "Related Art A" and "Related Art B" and the specification simply refers to a generic "present method" (see the specification at page 4, line 22. While such language infers that appellants believe their method to be superior to some generic prior art method, there is no basis for concluding that the inference means superiority over the Sharpe method (which might be superior over Related Art A and B and over appellant's claimed method).

Regarding the third ground of rejection appellant next makes additional order of steps arguments (see the Appeal Brief at page 15, last paragraph, page 16, first and second full paragraphs and paragraph bridging pages 16 and 17). Accordingly, the examiner maintains the order of steps positions discussed above. That is, assuming,

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arguendo, appellant is correct, the examiner maintains that the selection of the order of performing steps is prima facie obvious in the absence of new or unexpected results.

MPEP 2144.04(IV)(C). See the Office action mailed 2/18/2010 at page 5, lines 10-15).

Moreover, the examiner maintains that appellant's assertion of unexpected results is not persuasive, as discussed above. That is, an asserted improvement is not the same as an unexpected result and, more importantly, the attorney argument here provides no factual evidence that the claimed invention is better than that disclosed in Sharpe. Figs. 4 and 5 do not clearly compare the present invention with the method disclosed in Sharpe, but rather with something called "Related Art A" and "Related Art B" and the specification simply refers to a generic "present method" (see the specification at page 4, line 22. While such language infers that appellants believe their method to be superior to some generic prior art method, there is no basis for concluding that the inference means superiority over the Sharpe method (which might be superior over Related Art A and B and over appellant's claimed method).

It is noted that appellant's assertion that "the Office purports that Sharpe's disclosure found in column 5, lines 43 and 49-52 discloses the removing step" is, apparently, a mistake. This portion of Sharpe is actually relied upon to provide the rotating the tub step. See the Office action mailed 2/18/2010 at page 4, last full paragraph.

Regarding the third ground of rejection appellant next broadly asserts that the Office has failed "to provide an articulated reasoning with some rational underpinning to support the legal conclusion of obviousness" that one of ordinary skill in the art at the

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time of the invention would have found it obvious to display a target number when performing the method of the Sharpe teaching (see the Appeal Brief at section VII.C.2, page 15, last paragraph). The examiner maintains the Office has provided an articulated reasoning with some rational underpinning to support the legal conclusion of obviousness. In the Office action mailed 2/18/2010, the Office noted that it is conventional to display the accumulated number of processes completed since a reset (see page 10, first paragraph). See, for example, US 2002/0128729 to Blair, et al. at [0037] which teaches a laundry machine control system wherein the total number of times a cycle has been activated since the counts were last cleared is displayed. Having thus put forth that it is conventional to display the accumulated number of processes completed the Office acknowledged that the skilled artisan would have found it obvious to display the target number in order to enhance the operator's ability to ensure that the cleanings occur in a timely manner (see the Office action mailed 2/18/2010 at page 10, second paragraph). It is not too great a leap of logic to infer that the reason one would wish to display the accumulated number of processes completed is, at least sometimes, in order to ensure that the processes occur in a timely manner, and to make this comparison one would find it obvious to use a target number. It is noted that this issue is addressed herein for the first time because it was raised for the first time in the Appeal Brief.

Regarding the fourth and fifth grounds of rejection (see the Appeal Brief at page 18, sections VII.D. and VII.E., respectively), appellant argues that the claims are allowable since, it is alleged, claim 1 is allowable and raises no further argument.

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Accordingly, the examiner maintains that the positions as discussed above, including those positions dealing with the allowability of claim 1.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

/EWG/

Conferees:

/Michael Kornakov/

Supervisory Patent Examiner, Art Unit 1714

/William Krynski/

Quality Assurance Specialist, TC 1700